

# **JUDGE HALTS TRIAL**

**OF JIM  
CONLEY AS  
DORSEY  
BEGINS IT**

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Bench Gives No Reason,  
but

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# After Conference, Case Goes Over to Monday—May Wait on Frank

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When the case against Jim Conley, the negro indicted as an accessory after the fact in the Mary Phagan murder, was called for trial Thursday afternoon at 1:45 o'clock, just fifteen minutes before the regular hour for the court to adjourn. Judge Ben H. Hill announced that he would not begin the trial at this time.

Judge Hill did not offer any reasons why he postponed the trial, but it is believed around the court house that he wishes to await the action of the supreme court upon the appeal for a new trial of Leo M. Frank, who is under conviction as the principal in the Phagan murder.

Should Conley be tried on the charge of an accessory after the fact it would be impossible to put him on trial as the principal in the event he later confessed, or that Frank got a new trial and was acquitted.

Judge Hill's action has at least temporarily blocked Solicitor Dorsey in his plan to try Conley and definitely settle his fate. During the trial of Frank the solicitor made the dramatic statement that not as long as he was solicitor, would Conley be tried on an indictment charging him with being the principal in the murder. And if Conley is put on trial now as an accessory after the

fact, he cannot be tried again, no matter what develops to indicate his guilt as the real murderer of the Phagan girl.

Immediately after Conley had been called into the court room Solicitor Dorsey arose and addressing the court, said:

“Your honor, we start this case on an agreed statement of facts—”

It was then that Judge Hill interrupted, announcing that he did not wish to take up the case now. Judge Hill then conferred with Solicitor Dorsey and Attorney W. M. Smith, counsel for Conley. None of them would discuss the subject of the conference.

After the conference it was stated that Conley would not be put on trial before Monday, even if at that time, Attorney Smith declared that if the negro was not tried Monday, he would make a special demand for a trial for his client.

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